

F. JAMES SENSENBRENNER, JR., Wisconsin
CHAIRMAN

HENRY J. HYDE, Illinois
HOWARD COBLE, North Carolina
LAMAR S. SMITH, Texas
ELTON GALLEGLY, California
BOB GOODLATTE, Virginia
STEVE CHABOT, Ohio
WILLIAM L. JENKINS, Tennessee
CHRIS CANNON, Utah
SPENCER BACHUS, Alabama
JOHN N. HOSTETTLER, Indiana
MARK GREEN, Wisconsin
RIC KELLER, Florida
MELISSA A. HART, Pennsylvania
JEFF FLAKE, Arizona
MIKE PENCE, Indiana
J. RANDY FORBES, Virginia
STEVE KING, Iowa
JOHN R. CARTER, Texas
TOM FEENEY, Florida
MARSHA BLACKBURN, Tennessee

ONE HUNDRED EIGHTEEN CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

May 12, 2004

JOHN CONYERS, JR., Michigan
RANKING MINORITY MEMBER

HOWARD L. BERMAN, California
RICK BOUCHER, Virginia
JERROLD NADLER, New York
ROBERT C. "BOBBY" SCOTT, Virginia
MELVIN L. WATT, North Carolina
ZOE LOFGREN, California
SHEILA JACKSON LEE, Texas
MAXINE WATERS, California
MARTIN T. MEEHAN, Massachusetts
WILLIAM D. DELAHUNT, Massachusetts
ROBERT WEXLER, Florida
TAMMY BALDWIN, Wisconsin
ANTHONY D. WEINER, New York
ADAM B. SCHIFF, California
LINDA T. SANCHEZ, California

The Honorable F. James Sensenbrenner, Jr.
Chairman
Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn HOB
Washington, DC 20515

Dear Mr. Chairman:

In light of recent reports about the abuse of Iraqi prisoners, we write today to request that the Judiciary Committee fulfill its responsibility to exercise its jurisdiction to investigate the appalling human rights abuses committed at the Abu Ghraib prison outside of Baghdad by military personnel and contractors. It is inconceivable to us that this Committee, which has such a critical and historical role in protecting civil rights and liberties, would sit idly by during the midst of one of the most serious allegations of violation of human rights leveled against our nation.

Last week, Major General Antonio M. Taguba's February report on the conditions and abuse of prisoners by members of the 800th Military Police Brigade at the Abu Ghraib prison in Baghdad was publicly released. The report, and the photographic evidence contained therein, detail the extreme emotional, physical and sexual abuse of Iraqi prisoners.

To begin our oversight, we request that Judiciary Committee members receive a briefing by the Central Intelligence Agency on the details and findings of the investigation that is currently underway by its Inspector General. The Inspector General has already shared its findings with the Justice Department, which is currently examining the involvement of C.I.A. officers and contract employees in the suspicious deaths of three detainees, two in Iraq and one in Afghanistan. David Johnston & Neil A. Lewis, "U.S. Examines Role of C.I.A. and Employees In Iraq Deaths," (N.Y. Times, May 6, 2004 at A13.) Considering the Department's role in this investigation and our oversight authority over the Department, this Committee should be briefed on those findings.

We also request that this Committee hold hearings as soon as possible to investigate the Department of Justice role in reviewing any interrogation techniques that subsequently were used

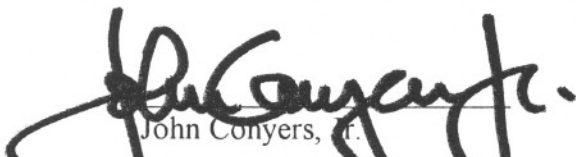
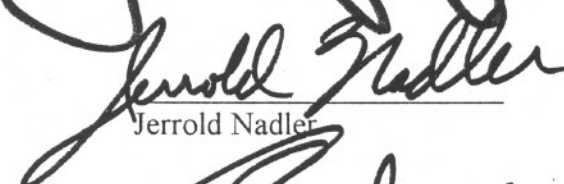
The Honorable F. James Sensenbrenner, Jr.
Page Two
May 12, 2004

in Abu Ghraib and the Department's response to allegations of abuse. It has been confirmed that the DOJ approved the use of approximately 20 aggressive interrogation techniques to be used on the detainees at Guantanamo Bay, which were designed to be a "legal way to jack up the pressure." (Dana Priest & Joe Stephens, "Pentagon Approved Tougher Interrogations," Washington Post, May 9, 2004 at A1.) It is crucial to determine if the DOJ played a similar role in the techniques used at Abu Ghraib that we now know have been exploited to humiliate and degrade Iraqi prisoners.

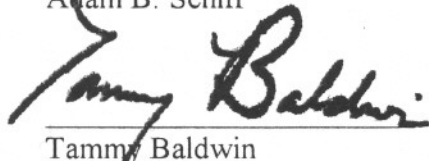
The hearing should also address whether and to what extent the DOJ exercised its authority to pursue criminal charges against military contractors and personnel responsible for these horrifying acts of torture. The Military Extraterritorial Jurisdiction Act, which was passed by this Committee in 2000, gives the DOJ jurisdiction to prosecute felonies committed by those employed by or accompanying the military overseas. 18 U.S.C §§ 3161-3167 (2002). While there have been some reports that cases have been referred to DOJ, it is still unclear why, over three months after the submission of the Taguba report, no one has been criminally prosecuted.

Thank you for your immediate attention to this request. We look forward to hearing from you soon.

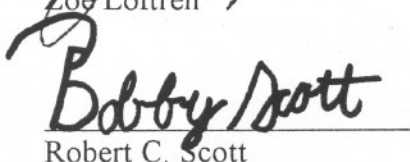
Sincerely,


John Conyers, Jr.

Jerrold Nadler

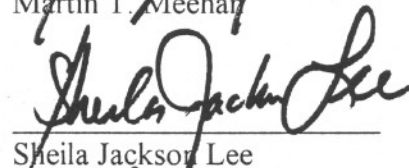

Adam B. Schiff

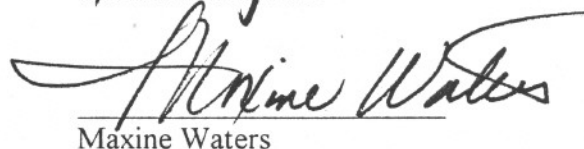

Tamm Baldwin

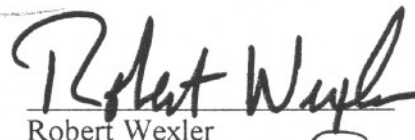

Zoe Loftren

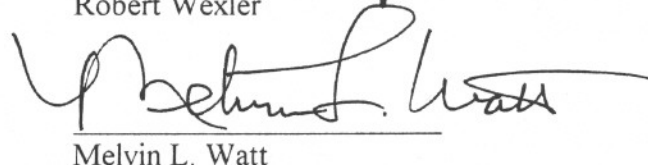

Robert C. Scott

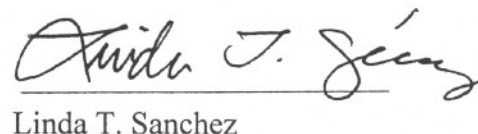

Martin T. Meehan


Sheila Jackson Lee


Maxine Waters


Robert Wexler


Melvin L. Watt


Linda T. Sanchez

The Honorable F. James Sensenbrenner, Jr.

Page Three

May 12, 2004

A handwritten signature in cursive script, reading "William D. Delahunt". The signature is written in dark ink and is positioned above a horizontal line.

William D. Delahunt